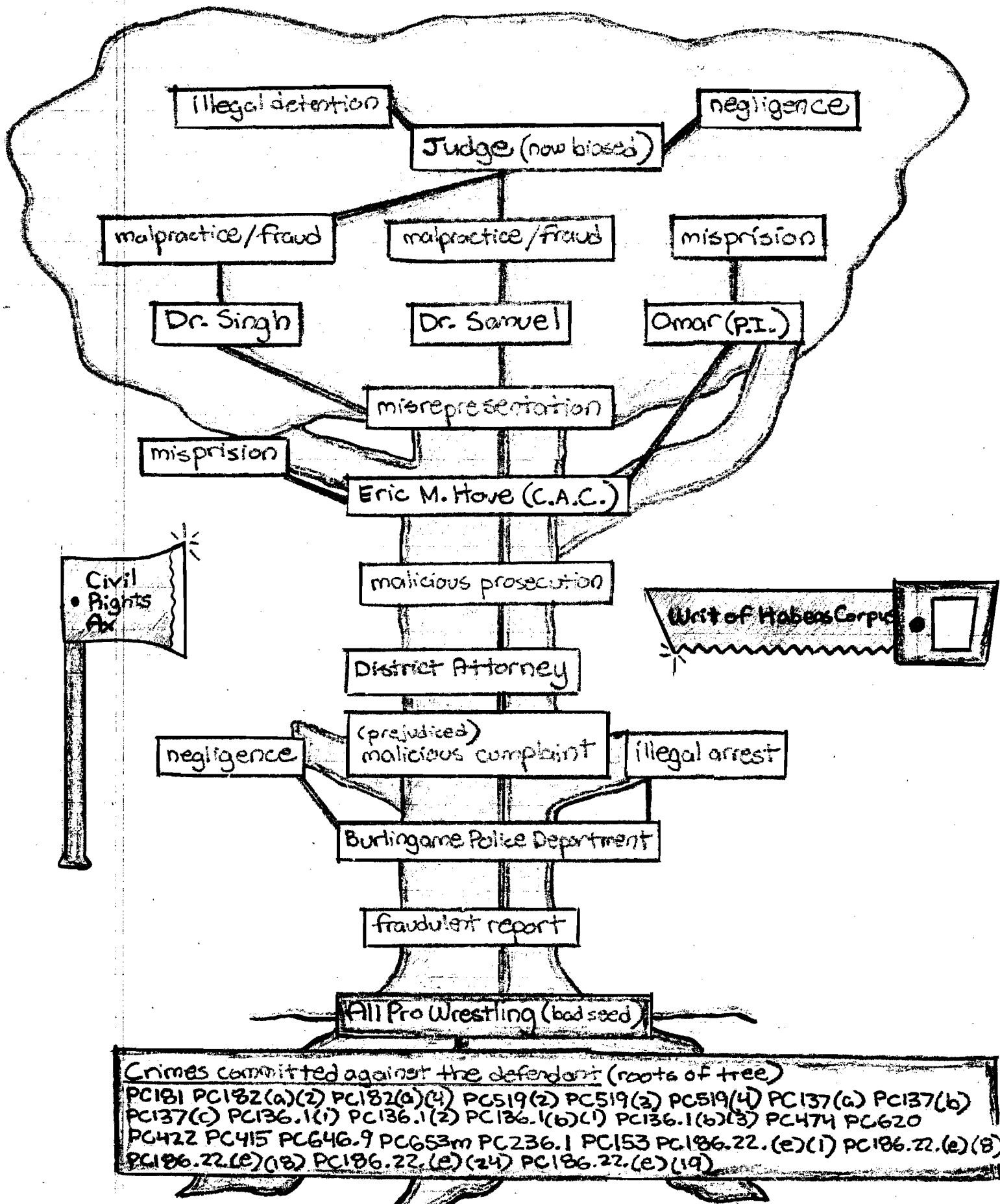


Raw Information in All Pro Wrestling v. Pagtakian (San Mateo County)

page #0



# Rights, Penal Code, Definitions, Notes & Figures

Art. 1, §24 In criminal cases the rights of a defendant to equal protection of the laws, to due process of law, to the assistance of counsel, to be personally present with counsel, to a speedy and public trial, to compel the attendance of witnesses, to confront the witnesses against him or her, to be free from unreasonable searches and seizures, to privacy, to not be compelled to be a witness against himself or herself, to not be placed twice in jeopardy for the same offense, and to not suffer the imposition of cruel or unusual punishment, shall be construed by the courts of this state in a manner consistent with the Constitution of the United States..

The underlined and shaded rights have already been violated in one form or another and is factual. they are further explained in the forthcoming documents.

Art. 1, §29 Due process, speedy and public trial; criminal cases  
 In a criminal case, the people of the State of California have the right to due process of law and to a speedy and public trial.

PC 474 Forgery; telegraph or telephone messages; intent; punishment ... knowing the same to be false or forged, with intent to deceive, injure, or defraud another...

APW & Co.  
 have committed  
 SEE PAGES 30-34

"further explained"

~~1st Court appointed attorney (FRAUD/misrepresentation)  
 Eric M. Hove, 461 Laurel St., San Carlos, Ca. 94070  
 (650) 594-4200 FAX (650) 594-4205  
 ericmhove@yahoo.com~~



\* Any decent and respectable probe will only support these claims.  
Evidence is existent. IT IS THE DUTY OF THE COUNTY TO INVESTIGATE.

PC 182

APW & Co.  
have committed

Definition; punishment; venue; evidence necessary to support conviction (a) if two or more persons conspire (1) to commit any crime. (2) falsely and maliciously to indict another for any crime, or procure another to be charged or arrested for any crime. (4) to cheat and defraud any person of any property, by any means which <sup>are in</sup> themselves criminal, or to obtain money or property by false pretenses or by false promises with fraudulent intent not to perform those promises.

PC 519

Poland & Co.  
have committed

Fear used to extort; threats inducing. Fear, such as will constitute extortion, may be induced by a threat, either: 2. To accuse the individual threatened, or any relative of his, or member of his family, of any crime; or, 3. To expose, or to impute to him or them any deformity, disgrace or crime; or 4. To expose any secret affecting him or them.

PC 137

Poland & Co.  
have committed

Influencing testimony or information given to a law enforcement official (a), (b), (c)

PC 136.1

Poland & Co.  
have committed

Intimidation of witnesses and victims; offenses; penalties; enhancement; aggravation (1), (2) (b) (1) Making any report of that victimization to any peace officer or state or local law enforcement officer.. or prosecuting agency.. (3) Arresting or causing or seeking the arrest of any person in connection with that victimization.

page #3 \* A prosecution based on and initiated on fraud will only multiply on fraudulent acts and material. (I'm sure most justices would agree.)

(From law dictionary)  
 \*PW, Roland & Co. have committed.  
conspiracy: an agreement by two or more persons to commit an unlawful act; a combination for an unlawful purpose.

the Burlington police department had conspired with APW and have committed constructive entrapment: a law-enforcement officer's or government agent's inducement of a person to commit a crime, by means of fraud or undue persuasion, in an attempt to later bring a criminal prosecution against that person. • To establish entrapment (in most states), the defendant must show that he or she would not have committed the crime but for the fraud or undue persuasion.

the BPD having been investigating for some time prior arrest permitted for coached APW officers to continue harassment of the defendant. (SEE PAGE 35)

Roland & Co. have slandered and defamed the defendant because he dropped out waiting a partial refund.  
libel: a defamatory statement expressed in a fixed medium, esp. writing but also a picture, sign, or electronic broadcast. (vb) To defame (someone) in a permanent medium, esp. writing.

\*APW, BPD, Roland & Co., Eric M. Hove, Dr. Singh, Dr. Samuel. All will be further explained.  
fraud: a knowing misrepresentation of the truth or concealment of a material fact to induce another to act to his or her detriment. • Fraud is usu. a tort, but in some cases (esp. when the conduct is willful) it may be a crime. 2. A misrepresentation made recklessly without belief in its truth to induce another person to act. 3. A tort arising from a knowing misrepresentation, concealment of material fact, or reckless misrepresentation made to induce another to act to his or her detriment.



page #4

with all disclosed information considered, there are no grounds contrary to law

• **habeas corpus**: a writ employed to bring a person before court, most frequently to ensure that the party's imprisonment or detention is not illegal. • In addition to being used to test the legality of an arrest or commitment, the writ may be used to obtain review of (1) the regularity of the extradition process, (2) the right to or amount of bail, or (3) the jurisdiction of a court that has imposed a criminal sentence.

(continued) **fraud**: 4. **Unconscionable dealing**; esp., in contract law, (APW & Polard) the unconscientious use of the power arising out of the parties' relative positions and resulting in an unconscionable bargain. — fraudulent, adj.

(APW & Polard) **fraud in the inducement**: fraud occurring when a misrepresentation leads another to enter into a transaction with a false impression of the risks, duties, or obligations involved; an intentional misrepresentation of a material risk or duty reasonably relied on, thereby injuring the other party without vitiating the contract itself, esp. about a fact relating to

Erre M. Have, Dr. Singh, Dr. Samuel, the investigator of All Pro Wrestling

• malpractice reports\*  
• misrepresentation  
• falsified police report (page 48)  
• perjured testimony and complaint

\*SEE PAGES 26, 40, 46, 47

**fraud on the court**: in a judicial proceeding, a lawyer's or party's misconduct so serious that it undermines or is intended to undermine the integrity of the proceeding. • Examples are bribery of a juror and introduction of fabricated evidence.

**intrinsic fraud**: deception that pertains to an issue involved in an original action. • Examples include the use of fabricated evidence, a false return of service, perjured testimony, and false receipts or other commercial documents.

Burlingame Police Department detective involved

**malice**: <sup>(2)</sup>reckless disregard of the law or of a person's legal rights (malicious intent SEE APP-1)

page #5

*Malitiis hominum est obviandum.*

The malicious designs of men must be thwarted.

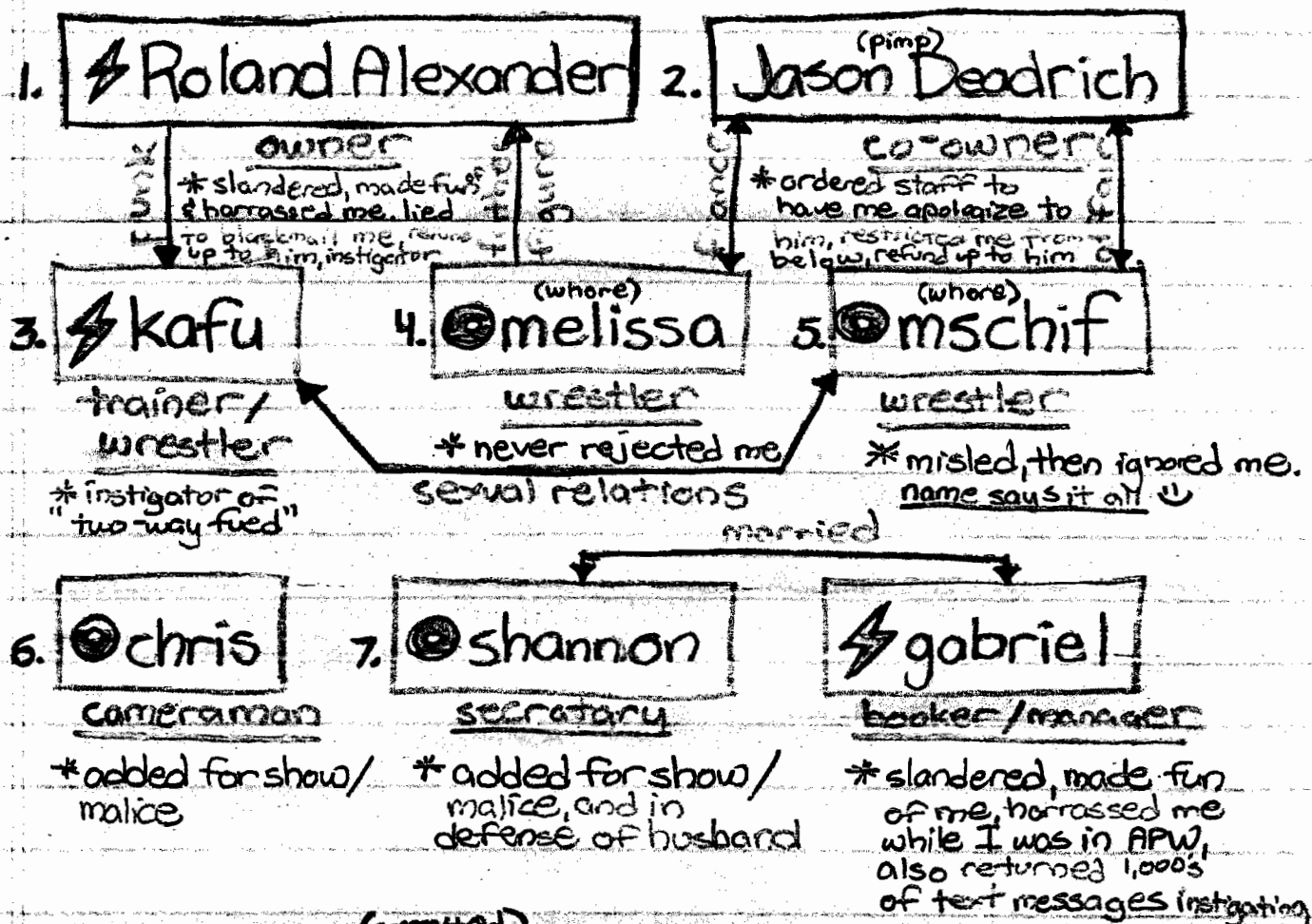
"All Pro Wrestling" Power Tree (of fraud & conspiracy)

key: (alleged victims are numbered)

☐ = bosses "masterminds"

⚡ = instigators "harassers"

⊙ = pawns

Figure 1Following crimes made against me: (may include investigator)not limited to: SEE PAGES 30-34

- |                 |                    |
|-----------------|--------------------|
| 1. PC 182(a)(2) | 7. PC 137(b)       |
| 2. PC 182(a)(4) | 8. PC 137(c)       |
| 3. PC 519(2)    | 9. PC 136.1(1)     |
| 4. PC 519(3)    | 10. PC 136.1(2)    |
| 5. PC 519(4)    | 11. PC 136.1(b)(1) |
| 6. PC 137(a)    | 12. PC 136.1(b)(3) |
|                 | 13. PC 474         |

\* detective/officer claimed he was/had been working on my case for at least 6 months, admitted he coached victims to continuously invited me to the Hayward gym the night of my arrest, to collect a refund of my tuition, it is very likely he had been conspiring with APW and not maintaining a professional and thorough investigation. no law enforcement official ever intervened to touch base with defendant before his



page #6

\*motion to suppress (what <sup>(MUST)</sup> should be inadmissible evidence)

• SEE ALSO PAGE #10

## Evidence

(seized @ arrest)

admissible | pair of Everlast 18oz. lace-up Sparring Gloves (black)

admissible | pair of Rival 18oz. lace-up Sparring Gloves (black)

admissible | silver RAZR cell phone (includes text messages and call logs from APW inviting me for a truce and a release refund)

(investigator promised "thorough investigation" and claimed he would printout journals and emails before me, so I cooperated and let him into my home. Instead, he aggressively disconnected a PC tower in an entertainment center, and sluggishly pulled my notebook from a "music studio workstation")

inadmissible | dell P4 tower (this is my sister's pc I refurbished)

admissible | hp PM notebook (contains journals & saved emails)  
(the defendant should have power of evidence for above)

(seized X days after arrest from my home)

inadmissible | replica / model katana (displayed atop armoire)

inadmissible | replica / model naginata | behind my grandfather's <sup>"in peace setting"</sup>  
(collectible on display) | funeral flag of the U.S.)

\* I studied Japanese martial arts as an early teen

inadmissible • 1st interview conducted after arrest. (investigator visited me in jail the morning before my arraignment. He claimed that he needed a 2nd interview because the audio for original was "distorted". Later he claimed it was a "video tape" and wasn't working. This makes it "incomplete" and I believe it tampered.

admissible • 2nd interview (day of arraignment)

page #7

APW, BPD  
the D.A.,  
but appointed  
counsel are  
guilty of

<sup>to court appointed attorney</sup>  
I need 2 copies of these pages a.s.a.p. also a name correction!  
<sup>one set for me, one set for my family</sup> "Paatankhoo"

**Misprision: concealment or nondisclosure of a serious crime** by one who did not participate in the crime.

misprision of felony: concealment or nondisclosure of someone else's felony.

misprisor: one who commits misprision of felony.

**Misrepresentation: 1. the act of making a false or misleading statement about something, usu. with the intent to deceive. 2. the statement so made; an assertion that does not accord with the facts. - Also termed false representation; (redundantly) false misrepresentation. - misrepresent,**

**fraudulent misrepresentation: a false statement that is known to be false or is made recklessly** - without knowing or caring whether it is true or false - and that is intended to induce a party to detrimentally rely on it. - Also termed *fraudulent representation; deceit*. (note also: innocent misrepresentation, negligent.)

1. §14 Felony procedure: Felony procedure is provided for in Sec. 14. Felonies shall be prosecuted as provided by law, either by indictment or, after examination and commitment by a magistrate, by information.

Court appointed  
counsel  
Dr. Singh's  
Dr. Samuel's  
presumption of  
incompetency  
see pages  
26, 40, 46-47

Police report  
see page 48



Page #8

*Magna culpa dolus est.*

Great fault (or gross negligence) is equivalent to fraud.

(continued)

violated SEE  
PAGES 11, 26, 30  
thru 34, 43

A person charged with a felony by complaint subscribed under penalty of perjury and on file in a court in the county where the felony is triable shall be taken without unnecessary delay before a magistrate of that court. The magistrate shall immediately give the defendant a copy of the complaint, inform the defendant of the defendant's right to counsel, allow the defendant a reasonable time to send for counsel, and on the defendant's request read the complaint to the defendant..

1. § 13

violated SEE  
PAGES 26, 40, 30  
thru 34

Searches and seizures; warrant

Sec. 13 The right of the people to be secure in their persons, houses, papers, and effects against unreasonable seizures and searches may not be violated; and a warrant may not issue except on probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons and things to be seized.

1. § 15

violated SEE  
PAGES 26, 40, 43  
46, 47, 49

THERE IS NO QUESTION THE DEFENDANT'S RIGHT TO A SPEEDY TRIAL HAS BEEN VIOLATED BY FRAUD MISREPRESENTATION.

Criminal cases; speedy public trial; compel attendance of witnesses; appearance and defense; counsel; depositions; double jeopardy; self-incrimination; due process Sec. 15. The defendant in a criminal cause has the right to a speedy public trial to compel attendance of witnesses in the defendant's behalf, to have the assistance of counsel for the defendant's defense to be present, with counsel

page #9

*Magna negligentia culpa est; magna culpa dolus est.*  
Great negligence is fault; great fault is fraud.

continued)  
THE DEFENDANT  
HAS BEEN SLANDERED  
IN THE MEDIA  
AS A RESULT OF A PER-  
JURED AND FALSIFIED  
POLICE REPORT  
AND IS BEING PRE-  
JUDGED BY A JURY  
OF 7 YEARS AGO

and to be confronted with the witnesses against the defendant. The Legislature may provide for the deposition of a witness in the presence of the defendant and the defendant's counsel.

Persons may not twice be put in jeopardy for the same offense, be compelled in a criminal cause to be a witness against themselves, or be deprived of life, liberty, or property without due process of law.

\* PROMISING A FULL  
INVESTIGATION, THE  
ELECTIVE COMPELLED  
STATEMENTS  
FROM THE DEFENDANT  
AFTER AN  
ILLEGAL ARREST  
SEE PAGES 29 AND  
34 FOR DETAILS

motion: 1. a written or oral application requesting a court to make a specified ruling or order. 2. a proposal made under formal parliamentary procedure. (speaking motion: a motion that addresses matters not raised in the pleadings.)

motion to dismiss: a request that the court dismiss the case because of settlement, voluntary withdrawal, or a procedural defect. • Under the Federal Rules of Civil Procedure, a plaintiff may voluntarily dismiss the case, ~~but~~ based on one of the defenses listed in Rule 12(b), the defendant may ask the court to dismiss the case.

\* THERE ARE MANY APPARENT PROCEDURAL DEFECTS IN THE PROSECUTION OF THE DEFENDANT.  
FOR EXAMPLE: HAD RULES 19.05 GUIDELINES BEEN FOLLOWED BY (RULE 41(c)) OR THE BPPD, THIS INCIDENT WOULD HAVE CEASED

motion to suppress: a request that the court prohibit the introduction of illegally obtained evidence at a criminal trial.

\* malicious motive: a motive for bringing a prosecution,



page # 10

*Malum non praesumitur.*

Evil is not presumed.

(some evidence submitted by defense) <sup>\*IN ADDITION TO THOSE ON PAGE 6</sup>

- (dated) • 1 receipt handwritten by Roland for \$500. payment
- (dated) • 1 receipt handwritten by Roland for \$1,000. payment
- (dated) • 1 faxed Wells Fargo document of \$500. check "
- (dated) • APW Contract completed in or about 12/05
- complete APW phone list
- (dated) • Burlingame Police Complaint Card
- (dated) • Letter from Roland regarding my complaint
- (dated) • Envelope recieved from MsChiff's Merchants
- 2 videotapes of her
- Various photos including one autographed
- Personalized M&M's she sent along with the package stating via Yahoo Messenger, "I'll add something extra for the wait."
- (dated) • startofitall.txt (file from notebook)
- (dated) • partialrefundrequest.txt (file from notebook)
- (dated) • last.txt (file from notebook)
- (dated) • various emails saved offline in AOL software

\*The above are totally relevant to my defense!

✓Note: I was an employed and independant man living with mu self, in my own home. I stayed busy at work and was training full time to become a professional boxer. I had intentions to enroll in a few classes this semester at CSM. Having financial obligations and responsibilities, I also looked out for my family. Due to this corruption, myself and parents are hamed

page # 11

(11-11-07, still no police report  
or complaint)

8-29-07

I need: (TODAY!) [To court appointed attorney: Please  
provide me with articles 1-6 asap.]① start of it all.txt ② partial ref and request.txt  
③ last.txt (①-③ on notebook in "MY Documents")

④ police report ⑤ complaint

⑥ all emails in printed form coinciding with "①③"  
(saved offline in AOL software)I need DONE!

\* motions to suppress evidence [articles 1-4]

SEE PAGES

(tower, katana, naginata, 1st interview <sup>(hampered)</sup> MUST be  
thrown out)(works for me) 2 <sup>(Everlast & Rival)</sup> pair of lace-up 18oz. Pro-Sparring Gloves  
(works for me) 2nd interview [county visit]  
(works for me) notebook [home visit on promised investigation]  
(who cares?) cellphone

\* motion to dismiss case (arguments) [RATED]

\*\*\* for probable cause of multiple crimes committed  
against the defendant by mob (of victims)\*\* for probable cause of conspiracy (and <sup>for</sup> entrapment)  
made by investigating officer

\* procedural defect

the constitutional rights!!



page #12

(many months prior to my arrest I've been receiving a multiplying # of text messages, late night phone calls, crank calls from APW affiliates, and unidentified

6/26  
(evening)

I call kafu to have a truce after being inspired to return to APW, resulting from the surprising tragedy of a mortar, Chris Benoit. He answers as if he doesn't know, "Who's this?" "I've been getting calls from this number." I reply, "Who's this?!" he asks again in a tough voice. "You know who this is. Don't play stupid!" I reply. "Oh it's the muslim GOOK! The virgin with the small dick! Yeah brotha I fucked Ms-Chif! I fucked that bitch with my 10" dick. Yeah fuck you you GOOK! You faggot with the small dick, I'll beat your ass! Fuck MsChif, I pulled a train on that bitch!" he surprises me in hostile and announcing tone. "What? What the fuck? You talk so much shit over the phone but you won't meet me? You know where I live, I don't know where you're at?" I preclude, all the while he is laughing. I hear a female laughing as well. "Haha - Fuck you you muslim GOOK! GOOK! Yeah I fucked MsChif! I pulled a train on that bitch!" I hang up. He calls me back a couple minutes tops later. He asks that I leave him out of my feud with Roland, but I explain he is a reason why I left as well. After a while he softens me up with a request and I swear me into speaking again to me. All is well till the conversation ends. I send a mass text message to APW affiliates regarding kafu's hostile remarks.

That isn't the end of kafu's phone calls and trash talking. His # (410) 395-9114

I AFFIRM UNDER OATH AND DECLARE UNDER PENALTY OF PERJURY THAT THIS IS AN ACCURATE AND FAITHFUL REPRESENTATION OF THE INITIAL CONVERSATION THAT TOOK PLACE ON THE NIGHT (Give and take a "haha" and interlaced speech.)

*Lubricum lingue non facile trahendum est in poenam.*

A slip of the tongue ought not<sup>to</sup> be easily subject to punishment.

page # 13

7/5 <sup>in sue</sup> (or about) Kafu calls me a few times in the middle of the night leaving voicemail messages I avoid listening to in the last week, after work I decide to give him a call.

Again he is playing dumb asking "Who's this?" I listen without replying. He is speaking about text messages to someone and I decide to speak my mind on his previous racial and religious slurs. I let off some steam for a good while on my way to my landlord's shop to pay my rent.

I remind him of my home address and invite him over because he once boasted and asked Roland publicly for permission to **"visit me and teach me a lesson"**. Leaving my home later that afternoon,

I noticed whom looked to be Lenny Thomas (an APW peer previously mentioned) staking out in a small brown car parked behind my truck. As I'm walking down the driveway towards my truck across the street, he starts the car, pulls out and speeds off. We make notable eye contact. I keep my gaze on him as he speeds off making the first right turn. The subject and vehicle is not a regular. I text APW affiliates of the matter, none of them denies it. I'm suspicious and a bit concerned.

Note: In July and August, <sup>(and times prior)</sup> (40%) 640-8868 (Gabriel Ramirez has refused to answer my calls or respond to my voice-messages), instead, he on "numerous occasions" with

idly long



page #14

In addition to the discrimination and harassment the defendant endured while in APW, he was continually harassed likewise via text messages, late night phone calls, and crank calls. SEE PAGES 5, 12, 13, 22, 23, 24, 25, 30, 31, 32, 33, 34, 36, 37, 38, 39, 41, 42, STAFF P. 11, TVT, PARTIAL REFUND REQUEST, TXT, LAST, TXT

following  
sunday)

I call (510) 582-8001, (from what it seems by the pre-recorded greeting) Janice answers. Looking to speak with Roland, I hang up on her. He has called me from this number numerous times talking trash, and I thought I had received texts from this # before, but during a 2nd phone call and conversation, Janice insists it's a land line. We speak. I apologize for my immaturity assuring her she has nothing to fear. She accepts my apology and soothes me with an understanding conversation. She explains she was once married to Roland and understands what I'm going through. She tells me that a refund would be up to both Roland and Jason. My cell phone powers off and we are disconnected. I'm driving.

(July thru  
August)

text read:

"My dream, My Belief, My Victory."  
-32 year old Undisputed Cruiserweight Boxing Champion  
Mauricio Estacio Paez (sponsored by Nike)

Kafi's reply was:

My dream is for  
Mauricio to shut the  
fuck off!! (sent  
numerous times)  
then he sent  
the quoted text  
message on addi-  
tional numerous  
times.

I remind APW affiliates that I still want a return of my money through unanswered phone calls and texts. Sometimes I simply text irrelevant sarcasm, jokingly. Gabriel Ramirez replies with 1,000's at times. On one occasion in reply to a non-hostile<sup>①</sup> text, Kafi replies "I'm hurt I wasn't invited to your sister's wedding. Maybe I could of held (the pin) close and become an in-law!"<sup>39</sup> This induced me to call him to no answer. I left him a message proclaiming he crossed the line. Refusing to answer, I decide to forward that message to APW affiliates, getting it and also speaking of Kafi's conversation of trash talking from afar.

page 15

Manifesta probatione non indigent.

Obvious facts are not in need of proof.

(case related terms from law dictionary)(defendant-victim) - a person harmed by a crime, tort, or other wrong.was subject-  
to and left  
because of,  
by order of  
Roland & Jasonforced labor - work exacted from a person under threat of penalty; work for which a person has not offered himself or herself voluntarily. (compulsory labor)Roland & Co. -  
as well as  
the officer  
in charge have  
committedwrongful conduct - an act taken in violation of a legal duty; an act that unjustly infringes on another's rights. (wrongful act)Roland, Kofu -  
Gabriel have  
displayedforce - power, violence, or pressure directed against a person or thing.Roland & Co. -  
usedconstructive force - threats and intimidation to gain control or prevent resistance; threatening words or gestures.Roland, Jason -  
Kofu, Gabriel  
arewrongdoers - one who violates the law (both criminals and tortfeasors are wrongdoers)APW & the  
Prosecution  
have beenwrongful - characterized by unfairness or injustice.is common -  
amongst APW  
and some of  
the harassment  
I suffered was  
of sexual  
naturesexual harassment - a type of employment discrimination consisting in verbal or physical abuse of a sexual nature. • Indecent speech is protected under the First Amendment.

(REF: PAGE 23, START OF IT ALL.TXT, PARTIAL REFUND REQUEST.TXT, LAST.TXT)



page 16

*Maledicta expositio quae corrumpit textum.*  
It is a cursed construction that corrupts the text.

APW was -  
both a hostile  
environment,  
which is why  
I left, as  
well as this

hostile-environment sexual harassment - sexual harassment in which a work environment is created where an employee is subject to unwelcome verbal or physical sexual behavior that is either severe or pervasive.

many wrongs -  
were committed  
against me

wrong - breach of one's legal duty; violation of another's legal right.

this malicious  
prosecution  
a result of  
conspiracy &  
entrapment is

Continuing wrong - an ongoing wrong that is capable of being corrected by specified enforcement  
(writ of habeas corpus, in example)

Poland & Co. -  
have done me  
many

civil wrong - violation of noncriminal law, such as a tort, breach of contract or trust.

Poland & Co. -  
investigator  
have committed  
many

legal wrong - an act that is a violation of the law; an act authoritatively prohibited by a rule of law.

my prosecution  
is clearly a

moral wrong - an act that is contrary to the rule of natural justice. (also natural wrong)

Poland & Co. -  
willfully  
committed

positive wrong - a wrongful act, willfully committed.

I have  
sustained  
multiple

injury - the violation of another's legal right, for which the law provides a remedy; wrong or injustice (2) harm or damage.

page 17

*Jus et fraus nunquam cohabitant.*  
Right and fraud never abide together.

I've suffered civil injury - physical harm or property damage caused by breach of a contract or by a criminal offense redressable through a civil action.

I've suffered personal injury - (2) any invasion of a personal right, including mental suffering and false imprisonment. (SEE PAGE 20)

I've suffered legal injury - violation of a legal right.

Roland told me that bookers asked of me, the Mochif I was coming in treating with may have been

sham - something that is not what it seems; a counterfeit (2) a person who pretends to be something that he or she is not; a faker.

Jason, Mel  
Issa, Kofu  
& Mochif all  
have

sexual relations - (1) sexual intercourse (2) physical sexual activity that does not necessarily culminate in intercourse. (SEE PAGES FIGURE 1)

I had no  
mens rea,  
I only wanted  
out of contract,  
a refund and  
to show Kofu  
I wasn't scared  
of him

criminal intent - (1) SEE MENS REA (2) an intent to commit an actus reus without justification, excuse or defense. (SEE PAGE 35)

It seems  
Roland & Co.  
have always  
had this  
malicious

intention - the willingness to bring about something planned or foreseen; the state of being set to do something.

Being  
Gloves!  
"2 pairs"

mens rea - "guilty mind" the state of mind that the prosecution, to secure a conviction, must pro-



page 18

*Jus ex injuria non oritur.*

A right does not arise from a wrong.

(cont.)

ve that a defendant had when committing a crime; criminal intent or recklessness. (the mens rea for theft is the intent to deprive the rightful owner of the property) • 2nd of 2 elements of every crime in common law, the other being..

Since I left  
APU in Sept.  
of last year  
I only went  
there once to  
accomplish a  
truce, give  
a refund, or  
to take on  
Kafu in a  
boxing match  
as invited

... actus reus - "guilty act" the wrongful deed that comprises the physical components of a crime and that generally must be coupled with mens rea to establish criminal liability; a forbidden act (the actus reus for theft is the taking of or unlawful control over property without the owner's consent)

emails & -  
text messages  
that are  
misconstrued  
and may have  
been doctored  
or sent by a  
hacker?

corpus delicti - body of the crime (1) the fact of a transgression (2) loosely, the material substance on which a crime has been committed; the physical evidence of a crime.

this probably  
doesn't apply  
but is good  
to know

corpus delicti rule - the doctrine that prohibits a prosecutor from providing corpus delicti based solely on a defendant's extrajudicial statements. • the prosecution must establish the corpus delicti with corroborating evidence to secure a conviction.

(may  
repeat)

motion - a written or oral application requesting court to make a specified ruling or order.

page 19

"on the job training" vocabulary words "

(cont.)

(2) a proposal made under formal parliamentary procedure.

SEE PAGES #26,  
46-47, 51-52, 54

calender motion - a motion relating to the time of court appearances. (examples include: motions to continue, motions to advance, motions to reset)

as of 12/5/07,  
the defendant  
has still not  
received a copy  
of the complaint  
and the police  
report after  
repeated requests

motion to compel discovery: a party's request that the court force the party's opponent to respond to the party's discovery request. (as to answer interrogatories or produce documents)

THERE ARE NUM-  
EROUS GROUNDS  
FOR DISMISSAL  
EXPLAINED THRO-  
UGHOUT THESE  
DOCUMENTS. SEE  
PAGES #30-34.motion to dismiss - a request that the court dismiss the case because of settlement, voluntary withdrawal, or procedural defect.THERE ARE MANY  
REASONS WHY  
IT WOULD BE  
JUSTIFIED FOR  
A HIGHER COURT  
TO QUASH PROC-  
EEDINGS AGAIN-  
ST THE DEFEND-  
ANT. PLEASE  
TAKE INTO ACC-  
OUNT THIS DOCU-  
MENT IN THE  
WHOLE.motion to quash - a party's request that the court nullify process or an act instituted by the other party, as in seeking to nullify a subpoena.motion to strike: (evidence) a request that inadmissible evidence be deleted from the record and that the jury be instructed to disregard it. (SEE PAGES 55)motion to suppress - a request that the court prohibit the introduction of illegally obtained evidence at a criminal trial. (SEE PAGES 55)MANY EXHIBITS  
WERE ILLEGALLY  
SIEZED UNDER  
FRAUDULENT  
PRETENSES.  
OTHERS ARE  
DISPUTABLE  
SECONDARY  
EVIDENCE.



REF: WWW.WRESTLINGSCHOOLS.ORG/GENERIC1.HTML (HERSH &amp; HERSH)

Lawsuit vs. All Pro Wrestling

projected losses &amp; compensations (for 3 month period)

- \$2,000 tuition fee paid (trained 1.5 months)
- v. \$8,640 lost wages (18./hour full time)
- v. \$ 600 storage unit for property (estimate)
- v. \$18,000 wrongful imprisonment (200./day)
- v. \$18,000 pain & suffering / mental anguish (200./day)
- \$10,000 slander & defamation (public)
- v. \$xx,xxx attorney costs (criminal/civil)

\$57,240 + attorney costs (v. indicates variable  
and will rise until my  
release)

Note: I was wronged and  
violated. The truth is made  
clear and justice must be honored.

All I wanted was a partial refund of my tuition paid for the 1.5\* months of training, and at one point made it clear I would settle for half, to be released from the APW contract so that I may pursue training and a wrestling career elsewhere. Poland would not permit me demanding \$1,000 more before I may transfer. He lied and slandered me, and eventually blackmailed me to discourage me from bringing a lawsuit. \*excluding forced labor

matter  
of  
fact

!IMPORTANT! \* This concluded to the rough draft report/essay on pages 30 through 34.

page 21

(motion to dismiss / basis)

argument 1

The defense requests the complete dismissal of criminal indictment on the basis of prejudiced, deliberate, and undue delay in prosecution resulting in suspect procedural defect, borderlining conspiracy, and in this case, showcasing entrapment by law enforcement officials soliciting with alleged victims whom are of affiliation with All Pro Wrestling, thus violating the defendant's Constitutional and Due Process Rights which will now suffer the defendant to a fair and just trial.

argument 2

The defense requests the complete dismissal of criminal indictment on the basis of the defendant's initial and true victimization by the alleged victims in which there are grounds for probable cause of multiple criminal violations of the law, hence: PC182(a)(2), PC182(a)(4), PC519(2), PC519(3), PC519(4), PC137(a), PC137(b), PC137(c), PC136.1(1), PC136.1(2), PC136.1(c)(1), PC136.1(c)(3), PC474, thus violating the defendant's Civil and Human rights, in which he is now suffering continual damages until he is released from custody.

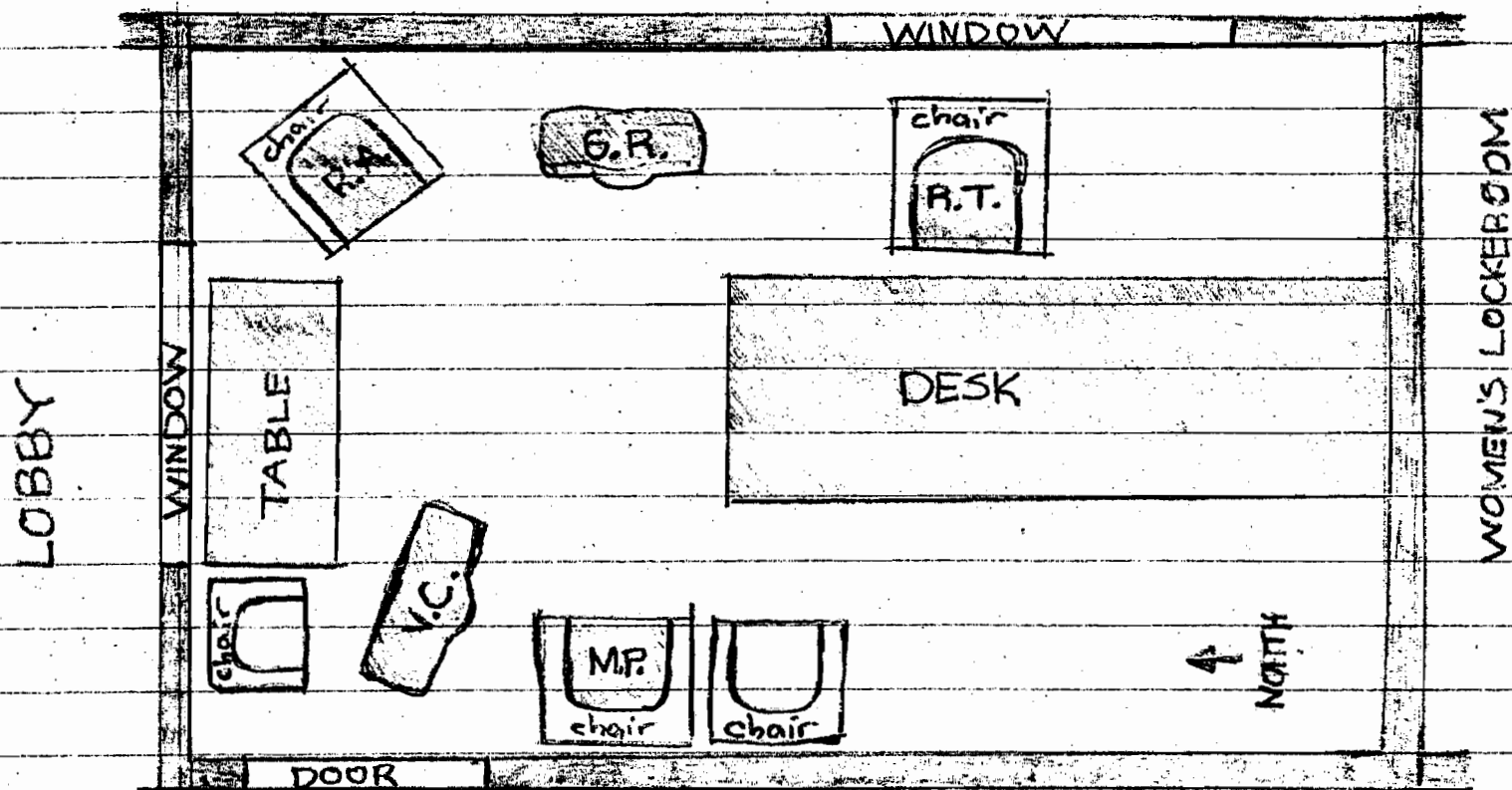
\* (themes to expand on and present to the court)



page 22

REF: MY DOCUMENTS / START OF IT ALL.TXT

# Office Boom Trap (threats of assault from Boland by the hand of kafu)



## HALLWAY

DATE:

8/12/06 R.A. = Boland Alexander (scolding/threatening/yelling at me)

TIME: 7-7:30pm G.R. = Gabriel Ramirez

R.T. = Robert Thompson (witness)

V.C. = kafu (continuously picked a fight/yelling)

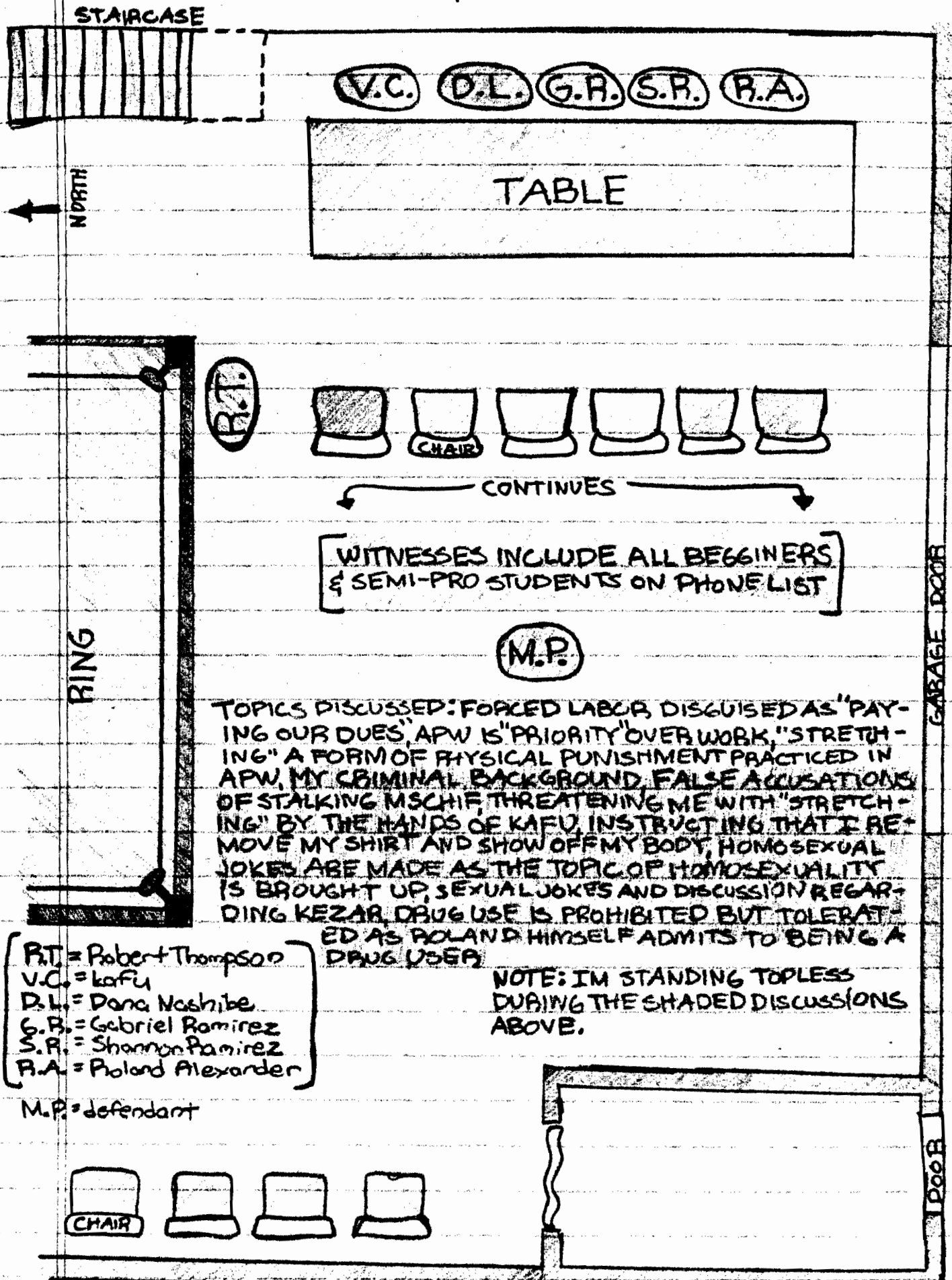
M.P. = the defendant

witnesses: Kristina Shipman (through lobby window)  
Norte Bulz (he entered in between to retrieve title belt)

Lenny Thomas (claimed others heard Boland & kafu screaming)

\* a crime committed against the defendant, see pages 41 & 42

page#23

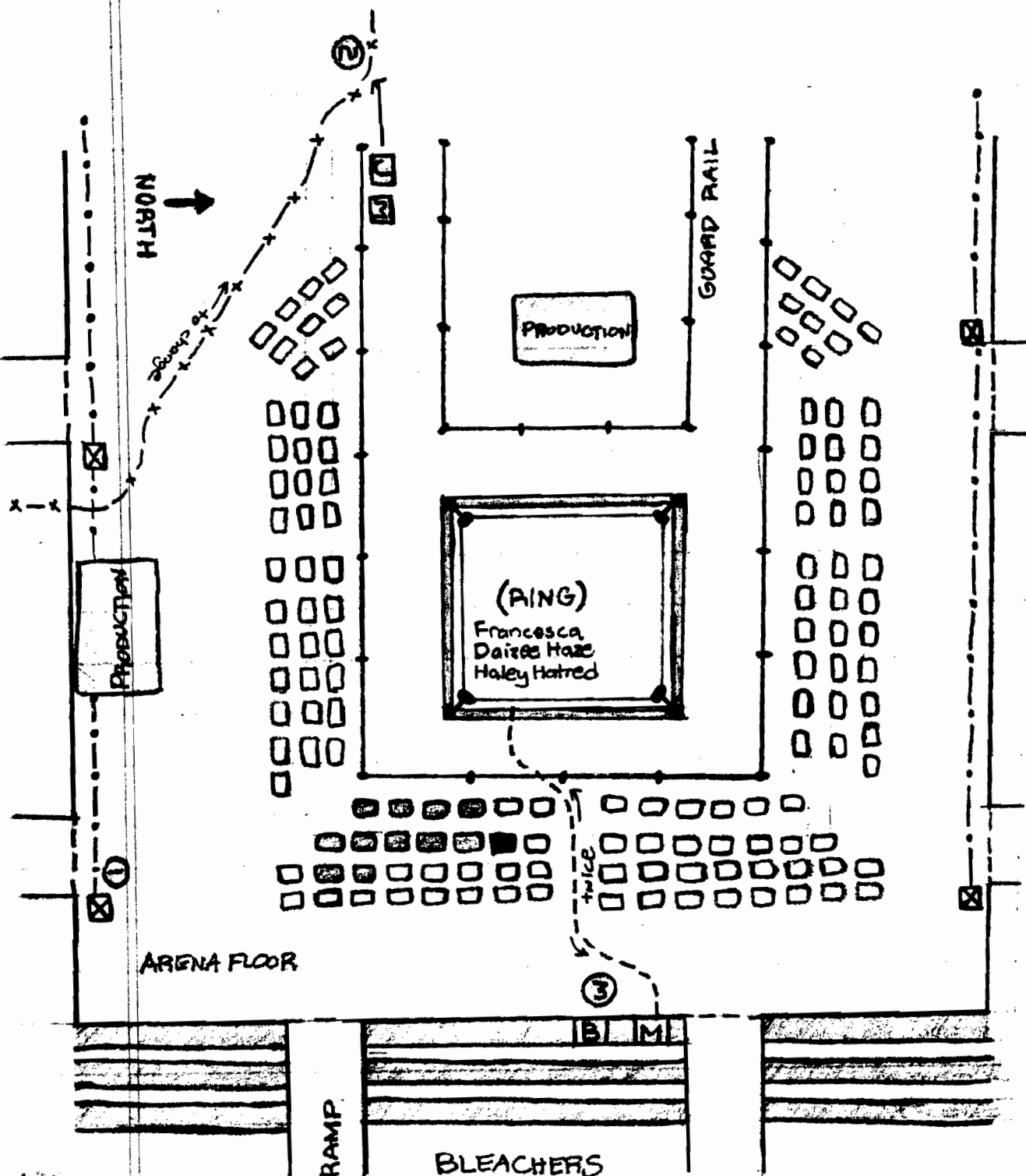
Pre-Camp Orientation (July '06)



page #24

All Pro Writing @ Kezar 9/1/06 (afternoon)

REF:MY DOCUMENTS / STARTOFEITALL.TXT, LAST.TXT



**KEY**

- ☒: speakers  
 -.-: cabling I set } ①  
 x-x: my path when asked to change } ②  
 J: Jason Deadrich  
 M: MsChif  
 ■: Myself  
 □: other students } ③  
 ---: MsChif's path  
 M: MsChif  
 B: Bryan N.

FOOTNOTES ①, ②, ③ ON NEXT PAGE

page #25

All Pro Wrestling @ Kezar 9/1/06 (afternoon)

REF: MY DOCUMENTS / START2FILL.TXT, LAST.TXT

(continued)

① Upon MsChif's arrival, Damien (production) commands me to lay down speaker cable around the arena floor. I am to use the blue tape given, and tape three feet of cable with three feet gaps in between. The tasks take a little over half an hour. When I am done I'm told I've done it wrong. It is stripped off the floor and I'm asked to use the black tape, completely covering the cabling. Now I'm given a hand by a couple other students.

② We students are resting and being entertained by Scotty Abbot on the southern bleachers. He speaks about booze and sex with groupies. Damien heads over to us and asks me if I had my security shirt. I reply yes and he tells me to go change. Jason and MsChif are conversing. As I'm headed toward the back, Jason intercepts me arrogantly remarking with emphasis, "No problems here!" as he gestures to MsChif, I nod so. Exiting the backdoor heading towards my truck I meet Daizee Haze.

③ After returning from changing clothes, the other students were then seated in the south eastern ringside seats. I join them. Francesca, Daizee Haze, and Haley Hatred are in the ring rehearsing. MsChif returns from business with Jason DeStich in the back and heads into the ring. Haley Hatred, then Daizee Haze shoot promos with cameraman Bryan N. on the eastern bleacher. MsChif's turn comes up. She hops the guard rail near me and walks pass. She screams multiple times into the camera grabbing everyone's attention including the wrestlers in the ring. The other students are either laughing or grinning as Scotty Abbot jumps into the seat left of me. I'm embarrassed. She starts to yell "FUCK ME!" in a growling voice inbetween her screams to the camera. She laughs and does this at least three times. Frankie and Daizee look upon her from the ring as if she were crazy. Scotty Abbot turns to me as he says aloud to the students, "She's a savage in the sack!" Matt and Abraham are laughing, and everyone else besides Mario have big grins on their faces. Suspicious, I ignore them. MsChif then walks by me and back into the ring. A minute or two later, she hops over the guard rail again walking by me once more saying to Haley, "I'm trying—" in a girly voice, (I felt to invite me to talk to her) as she heads to Bryan to film more screams. Her screams seem more like desperate cries this time, ignoring them I leave.

MsChif

MsChif has performed in PW's ChickFight 4, 5, 6 @ the Kezar, then 7 & 8 in the UK, produced by Jason and his company Black Pants Productions. I learned of her in #4 during my first day of volunteering. A while later, I communicated with her (or an imposter) via yahoo messenger. She had been aware I had the hots for her. She hinted that we could meet some time. I went to the 5/21/06 Shimmer Women's Wrestling show in Berwyn, IL to do so, she knew I was coming but I eventually chickened out leaving early to attend an Alice In Chains concert. My itinerary consisted of: 5/20 Chicago waterfront, downtown & Sears Tower, 5/21 Aquarium, Shimmer Show, Alice In Chains concert, 5/22 eat downtown Museum, see popular fountain. MsChif returned for ChickFight 5, and I purposely chose to work a moving job that day. Roland Alexander had left me a late invitation on a voicemail claiming he had sent an earlier email reminder, which I never received. I dropped by that show after work but left a short while later. I avoided MsChif entirely during the 9/1 & 9/2 Kezar Shows. I did not sexually harass her as Roland claimed I did. I DID NOT STALK HER.

This prosecution/persecution is truthfully slanderous, and a definite



Note: prior to my case being called on 9/23, the arresting officer was soliciting with, from the seat behind, the assigned prosecutor for that day. With a big grin on his face, almost as a frozen laugh with eyes as if I believe I heard him say "she's taking it in the ass." as a sexist remark when I report them. He then leaves. Eric and the prosecutor leave the courtroom shortly after, returning before my case is called.

## Constitutional Violation, Misrepresentation, Fraud in the Court

### TIMELINE:

- August 11 (arrest) by Burlingame Police Department in Hayward, interrogated, escorted home & back, booked
- August 14 (arraignment) contact visit prior to arraignment by investigating officer. 2nd interview
- August 22 (assigned counsel) Eric M. Have introduces himself in 10 minute visit, I assert that I want a speedy trial.
- August 23 (court appearance) Eric M. Have makes a false misrepresentation proclaiming doubt to suspend proceedings.
- August 29 (court appearance) Judge assigns doctors. Family gives documents 1-14 to Eric. I give him 7-14. He's to make copies.
- August XX (search & seizure) Arresting officer searches my home and seizes a replica katana & naginata.
- September XX (Dr. Singh) Female doctor Singh evaluates me in regards to my competency. I felt her biased and prejudiced.
- September XX (2nd Evaluation) A very formal and professional demeanor in regards to this doctor.
- September XX (counsel/investigator visit) Eric introduces me to Omar, promises copies. I give page #23.
- September 26 (court appearance) As suspected as Eric foreseen, he wanting time waived, Dr. Singh's report is fraudulently suspect.
- October 24 (court appearance) Assigned a 3rd Dr, a report will have been completed, though I believe actions deliberate.
- November 7 (estimated preliminary hearing) A result of a repeated misleading counsel and a suspect Dr. Singh.

### ARGUMENT:

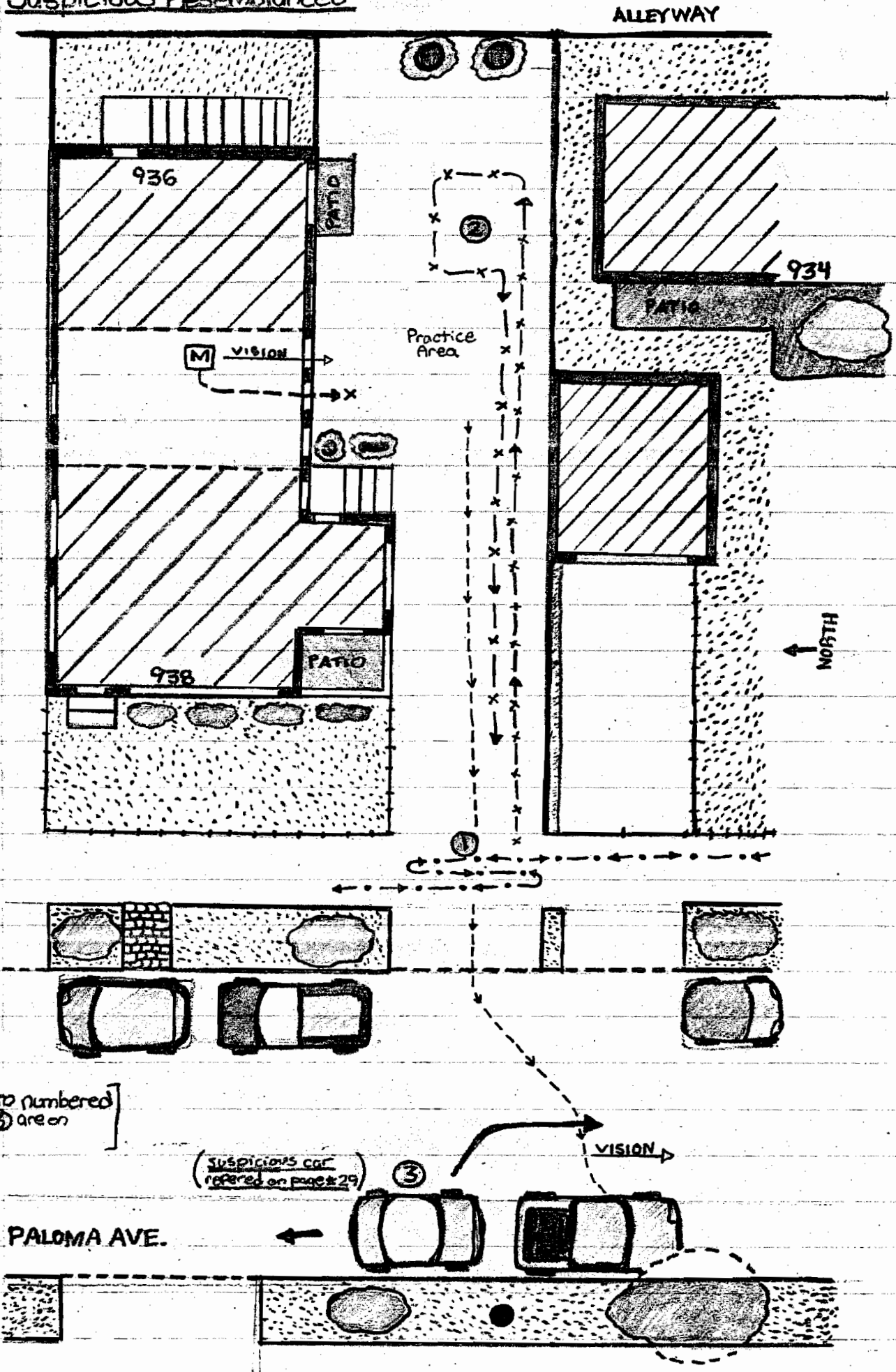
88 days from arrest & 85 days from indictment will have passed before my preliminary hearing (a result from a misrepresentation and suspect fraud in the court) thus violating my Constitutional Right to a speedy trial.

### SUPPORT:

I am suspicious as to Eric M. Have's credibility. He seems to be a condescending man who has made broken promises not executing what he willed, one who buys trust with promises or fibs as to what he has done or is doing. Eric M. Have has spoken of a failed visit attempt with an investigator on the night of August 22, on my August 23 appearance. He then promised a visit that night, with a doctor in the week, and an investigator as well. I am not seen by anyone. On 8/29 my family gives him documents #1-6. I hand him #7-14 and ask that he makes copies for me. He promises to mail a set to both my family and I. Eric then buys my trust by comforting me with the notion he will speak to my family in his office the following week to discuss my case. Appearing in court doctors are assigned. He then promises to visit but contradicts himself when he assures me he'll be assigned an investigator soon. Dr. Singh visits me. I answer her questions accordingly but I am suspicious to her attitude. It seems she is looking and fishing for any reason to give a negative report. She is biased against my wanting a speedy trial and trying to feed me with guilt. The second doctor was very professional. Eric visit a few days later with investigator Omar. Introducing me, the visit is short and I give him page #23. He promises to return copies of all my written documents at my next court appearance on 9/26. He asks that I waive time and hints I may need a third evaluation if Singh's is negative. On 9/26, I give him #24 & 25. He does not have my documents. He promises that Omar will visit me that day, and that Omar having the originals will bring me the copies. Told is the 2nd time I was told to wait.



page #27(a)



[explanations to numbered actions ①, ②, ③ are on page #27(b)]



page\*27(b) Footnotes to Prior (Suspicious Resemblances)

① On a handful of occasions as far back as spring, I've been watched practicing martial arts and training in boxing, (in marked area) by whom I find a great resemblance to one of the arresting officers. (The shorter, older one who drove the night of my arrest.) One occasion I was practicing a naginata (japanese halberd) form, and the resembling fellow walked past my driveway on the sidewalk. (as shown) Watching me, he turned around slowly pacing the other way and paused. Then he continued as he reversed, again watching and walking slowly. I remember this clearly happening on at least three different occasions. Another time while I practice the katana. A third time I was punching a heavy bag set outside. On a final, more recent occasion one morning on my way to my truck, the resembling fellow then wearing an FBI black T-shirt greets me a "Good Morning" as he walked north bound on the same sidewalk walking two small dogs. During the prior times, I recall him wearing a dark, possibly black suit.

② On one occasion, approximately late spring or early summer in the later afternoon, a man greatly resembling the investigating officer who arrested me, walked up my driveway (as shown) looking towards the unit above me. Alerted by radio gibberish as from a walkie talkie, I caught his initial pass through my window as marked. Curious, I then head towards my door to see who he is. As I step through my door he notices me and makes a wide round about turn as I nod to him. I thought of him as maybe a cable guy or of the sort, but now I honestly believe, in regards to these circumstances, it was the investigating officer who arrested me.

③ On the 5th of July, immediately after work I headed towards my landlord's shop to pay my rent. Disturbed by Kafi's revelation the previous week, I call him to speak my mind regarding his racial and religious remarks. I again give him my address so that he could face and speak to me like a man. I return home. Later, in the late afternoon, I exit and head towards my truck across the street. I'm walking down the driveway and notice the driver in the car parked behind my truck resembling an APW student watching me. As I walk forth towards my truck, he starts his car, backs up and speeds off. I keep an eye on him as he quickly makes the first right turn. I then text APW affiliates questioning this, they do not deny it. (Note: this car greatly resembled one referred to on page #29, a light metallic brown resembling an old Jetta or Corolla)

\* Due Process Violations (suspect deliberate/biased/prejudiced proceedings)\*

argument: Entrapment & Conspiracy on grounds that law enforcement solicited with APW affiliates to maliciously indict and prosecute the defendant.

- ✓ may have used alleged victims cell phones (being held as evidence) to bait the defendant with late night phone calls and/or taunting and mocking text messages.
- ✓ may have deliberately allowed and permitted the harassment of the defendant by affiliates to induce detriment and collect evidence, via phone calls, voicemail and/or texts.
- ✓ may have coached alleged victims or affiliates in regards to the situation, so that a prosecution, instead of a settlement, may be made. (Don't give him any money back.)
- ✓ have been biased and did not thoroughly investigate the situation, or chose to conceal the wrongs of the accusers. (fraud, fraud on the court, intrinsic fraud)
- ✓ did not formally contact the defendant in regards to an investigation, warn him of criminal acts, or serve him with then a due restraining order. (malice, malicious arrest resulting, prejudiced)

(pot, cocaine, steroids)

(~~pot~~, melissa, mschif)

opinion:

"constructive"

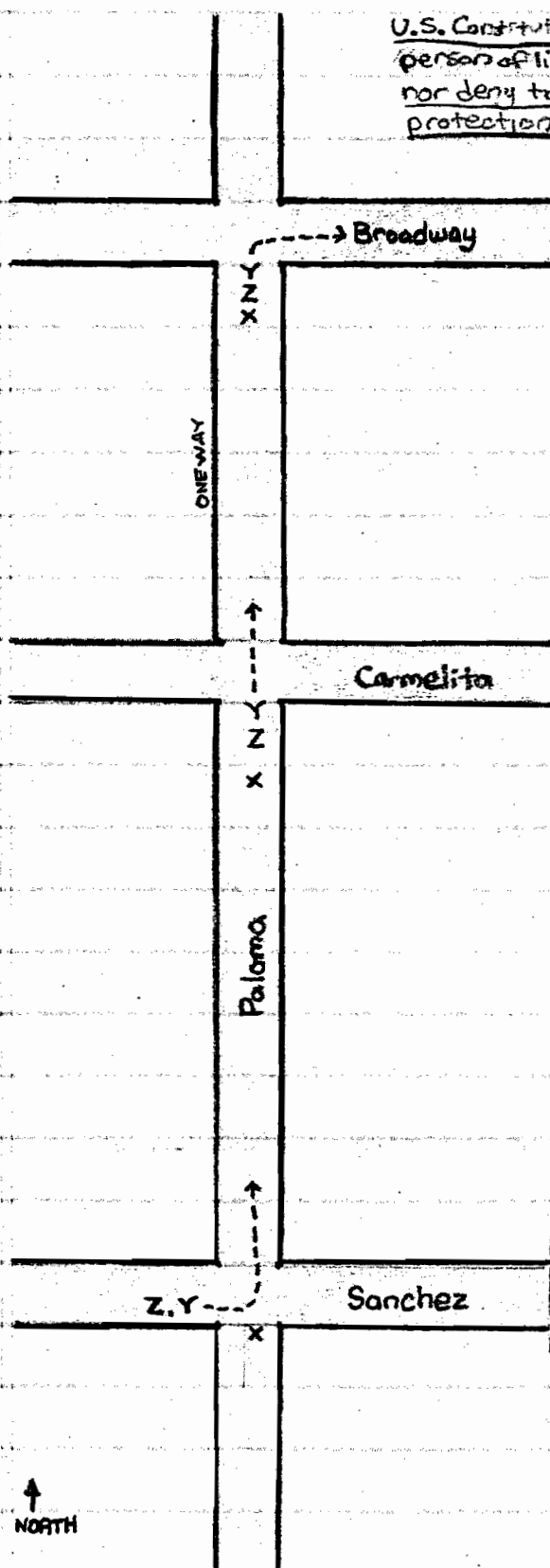
Drug trafficking as well as prostitution resides about APW. I suspect the bribery of the investigator involved, who on the night of my arrest, moved about like a dope fiend. <sup>(noting)</sup> eyes/neck bobbing / <sup>(soft)</sup> twitching mouth / a mood shift / cigarette smoker

page #28

Later July '07 Failed Arrest Attempt or Surveillance / Trailing?

(late afternoon)

U.S. Constitution Amendment 14 (1) No state shall deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.



-----&gt; Broadway

Y = light colored mid 90's cherokee,  
light heavy set caucasian female  
officer in uniform, w/ long hair  
in mid 30's? driving unmarked

Z = light colored resembling taurus?  
large caucasian male officer  
in uniform, mid 40's+? driving  
unmarked police vehicle

X = myself

As I am heading northbound on Paloma one day in mid or later July, at about 5-5:30pm leaving my home, I come across two unmarked law enforcement vehicles. As I make the first stop at the Sanchez intersection (I'm shown as X), the officer in the SUV vehicle makes the left cutting in front of me heading northbound on Paloma. Clearly noticing her uniform, I take an extra pause and notice the trailing vehicle and the officer drives it as well.

Completely stopped, I let him make the left before me. All three of us travel two blocks to Broadway. My intentions was a right. I kept it. They also made the right before me. It may be just a coincidence but they keep in front of me till the rail road tracks, when I pass them both up and head towards the 101 south, to resume my productive and law abiding life, more relevant and significant than a feud or petty rivalry with the pro-wrestling school which screwed me over and ripped me off